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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 17 2006

Inventor(s): Annette C. Grot, et al.

Serial No.: 10/799020

Examiner: James P. Hughes

Filing Date: March 11, 2004

Group Art Unit: 2883

Title: Photonic Crystal Sensors

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, March 15, 2006, rejecting the following claims 1 - 24.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input checked="" type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: OR

☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: July 17, 2006

Typed Name: Linda A. Iimura

Signature: Linda A. Iimura

Respectfully submitted,

Annette C. Grot, et al.

By

Juergen Krause-Polstorff
Attorney/Agent for Applicant(s)

Reg. No. 41/127

Date: July 17, 2006

Telephone No. 408 553-2804

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PAGE 1/1 * RCVD AT 7/17/2006 10:32:35 AM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-2/6 * DNIS:2738300 * CSID:4085532365 * DURATION (mm-ss):00-56

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